

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

	:	Chapter: 13
In Re: Widza C. Bryant	:	
Debtor,	:	Bankruptcy No. 22-12106-elf
	:	
Wilmington Savings Fund Society,	:	
FSB,	:	
Movant	:	
-v-	:	
	:	Answer to Motion for Relief
Widza C. Bryant	:	from the Automatic Stay
Respondent,	:	

**ANSWER TO MOTION FOR RELIEF OF WILMINGTON SAVINGS FUND SOCIETY,
FSB, FILED BY WIDZA C. BRYANT, DEBTOR/RESPONDENT**

And now comes Widza C. Bryant, Debtor/Respondent, through her attorney Jeffrey a Fournier, Esquire, files this response to the Motion for Relief file by Wilmington Savings Fund Society, FSB set forth below:

1. Denied. Movant asserts conclusions of law which do not require a response. Movant alleges they are sole owner of CIM 2021-NR4. Its unclear who CIM 2021-MR4 is and how this instrument/organization has standing in this case. Furthermore Movant failed to allege if they the owner of Debtor's mortgage.
2. Admitted.
3. Denied. Debtor did not execute a Note with Movant, According to the Note attached to the Proof of Claim, Pierre Covin executed on the Note.

4. Admitted.

5. Denied. The Mortgage Lien Instrument encumbers a legal description of the property usually attached to the Mortgage or referred to in a foreclosure complaint. The legal description of the property is not the mailing address.

6. Denied. According to the September 14, 2021 Assignment, attached to Fay Servicing, LLC Proof of Claim, the current holder of the Mortgage is U.S. ROF IV Legal Title Trust 2015-1. That in itself does not prove that Debtor's mortgage is contained within the pooled Trust.

7. Admitted. The Foreclosure Sheriff sale was stayed and terminated upon commencement of this case.

8. Denied. Debtor filed this instant case to carry out a plan of re-organization, described with particularity in the Chapter 13 Plan.

9. Denied. Debtor made three (3) mortgage payments to Fay Servicing LLC (Servicer) as directed by the Servicer via telephone conversation initiated by Debtor. Payments were received by Servicer on October 4, 2022 November 4, 2022 and November 28, 2022 according to the USPS Tracking System. Debtor also disputes the monthly payment to be \$2,453.61 as she was informed by the Servicer her payment were \$2,300.000, In addition Debtor hasn't received a payment change notice from the Servicer to indicate otherwise.

10. Denied. There were numerous written requests and telephone requests (one conversation) made to the Servicer's attorneys to obtain information on sending address along with payment amount payment without success. Its the Movants fault though their attorney's lack of action that caused this issue and attorney fees and costs should not be denied.

11. Denied. Movants failed to allege with particularity why they are not adequately protected. The Movant is not entitled to relief.

12. Admitted in Part, Denied in Part. It is admitted the Schedules filed by the Debtor speak for themselves. The property is necessary for effective reorganization. The residence houses the Debtor her husband and five children, one of which is special needs. The property is critical to carry out Debtors employment. Debtor has a home office and her work is done remote. In addition the Debtor projects a significant change in income in December 2022 that will open up additional options not described in the Chapter 13 Plan.

13. Denied. Debtor has the available funds to maintain mortgage payments with the Movant.

14. Denied.

WHEREFORE, Debtor respectfully request that the motion filed by Movant be denied.

Respectfully submitted,

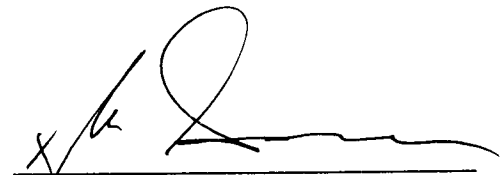
/s/ Jeffery A. Fournier, Esquire
Jeffery A. Fournier, Esquire
For Widza C Bryant

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VERIFICATION

I, **Widza Cauvin Bryant**, hereby verifies that the statements herein are true and correct to the best of our knowledge, information and belief. We further understands that false statements herein are made subject to penalties of 18 Pa.C.S.A. Section 4904, relating to unsworn falsification to authorities.



Widza Cauvin Bryant

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CERTIFICATION OF SERVICE

I, Jeffery A. Fournier, Esquire, hereby certify that I served that the above Notice of Objection were served to the interested parties listed below by first class prepaid postage mail and/or electronically (ECF) on December 5, 2022:

U.S. Trustees Office	ECF
Kenneth E. West, Trustee	ECF
Wilmington Savings Fund Society, FSB	ECF
Daniel P. Jones, Esquire	

/S/ Jeffery A. Fournier, Esquire
Jeffery A. Fournier, Esquire
Attorney for Debtor/Respondent